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May 31, 2006

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Art Unit 2685

Attn: Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/649,807; Filed: August 28, 2003

Apparatus and Method for Local Oscillator Calibration in Mixer

Circuits

Inventors:

McMullin et al.

Our Ref:

1875.4300000

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover: \$180.00 for IDS late filing surcharge (under 37 C.F.R. § 1.17(p));
- 2. First Supplemental Information Disclosure Statement;
- 3. Form PTO/SB/08B (1 page) with (1) accompanying document (Doc. Ref. NPL4); and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox P.L.C.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skqf.com

Commissioner for Patents May 31, 2006 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey T. Helvey

Attorney for Applicants Registration No. 44,757

**Enclosures** 

ЛТН/agj 538152\_1.DOC



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

McMullin et al.

Appl. No.: 10/649,807

Filed: August 28, 2003

For: Apparatus and Method for Local Oscillator Calibration in Mixer

Circuits

Confirmation No.: 5999

Art Unit: 2685

Examiner: Haroon, Adeel

Atty. Docket: 1875.4300000

## First Supplemental Information Disclosure Statement

Mail Stop Amendment

**Commissioner for Patents** PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

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not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this
  Information Disclosure Statement was first cited in a communication from a
  foreign patent office in a counterpart application and this communication was not
  received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty
  days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

Atty. Dkt. No. 1875.0160001

	Enclosed find our PTO-2038 Credit Card Payment Form in the amount of
	\$ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
	a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each
	item of information contained in this Information Disclosure
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	three months prior to the filing of this Information Disclosure
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	☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item
	of information in this Information Disclosure Statement was cited
	in a communication from a foreign patent office in a counterpart
	foreign application and, to my knowledge after making reasonable
	inquiry, was known to any individual designated in 37 C.F.R. §
	1.56(c) more than three months prior to the filing of this
	Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
	The document(s) was/were cited in a search report by a foreign patent office in a
	counterpart foreign application. Submission of an English language version of
	the search report that indicates the degree of relevance found by the foreign office
	is provided in satisfaction of the requirement for a concise explanation of
	relevance. 1138 OG 37, 38.
☐ 6.	A concise explanation of the relevance of the non-English language document(s)
	appears below in accordance with 37 C.F.R. § 1.98(a)(3).

☑ 7.	A copy of document <u>NPL4</u> is submitted. However, in accordance with 37 C.F.R.
	§ 1.98(a)(2), no copies of U.S. patents and patent application publications cited
	on the attached IDS Forms are submitted.
□ 8.	Copies of the documents were cited by or submitted to the Office in an IDS that
	complies with 37 C.F.R. § 1.98(a)-(c) in Application No, filed
	, which is relied upon for an earlier filing date under 35 U.S.C.
	§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
<u> </u>	It is expected that the examiner will review the prosecution and cited art in the
	parent application no(s) in accordance with MPEP 2001.06(b), and
	indicate in the next communication from the office that the art cited in the earlier
	prosecution history has been reviewed in connection with the present application.
	It is respectfully requested that the Examiner initial and return a copy of the
enclos	ed IDS Forms, and indicate in the official file wrapper of this patent application
that th	e documents have been considered.

McMullin *et al.* Appl. No. 10/649,807

- 6 -

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Jeffrey T. Helvey

Attorney for Applicants Registration No. 44,757

Date:

5/31/06

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Substitute for form 1449/PTO				Co	Complete if Known			
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STATEMENT BY APPLICANT			PLICANT	First Named Inventor	McMullin			
(Use as many sheets as necessary)				Art Unit	2685			
				Examiner Name	Haroon, Adel			
Sheet	1	of	1	Attorney Docket Number	1875.4300000			

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	·	
	NPL2		
	NPL3	·	
	NPL4	Aschwanden, "Direct Conversion - How To Make It Work in TV Tuners," <i>IEEE Transactions on Consumer Electronics</i> , Vol. 42, No. 3, August, 1996, pages 729-738.	
	NPL5		
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Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.